

**Hoff, David**

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**From:** Landretti, Jane R - DNR [Jane.Landretti@wisconsin.gov]  
**Sent:** Wednesday, August 07, 2013 4:32 PM  
**To:** McKim, Krista; Wester, Barbara; Bell, Brian; White, Quintin; pritchard.gary@epamail.epa.gov  
**Cc:** Heilman, Cheryl W - DNR; Johnson, Bradley A - DNR; Lynch, Lawrence J - DNR; Lowndes, MaryAnne - DNR; Bertolacini, Jim K - DNR; Rasmussen, Russell A - DNR; Luebke, Paul W - DNR  
**Subject:** WDNR follow up: Storm Water WPDES Coverage

Thank you for taking the time yesterday to discuss the WPDES permitting process as it relates to proposed bulk sampling activities.

As we indicated on the phone, WDNR believes that coverage under the Construction Site Storm Water General Permit is the most environmentally protective permit coverage afforded by Wisconsin law for WPDES coverage of GTAC's bulk sampling activities. Although Industrial Storm Water General Permit coverage is also available for coverage of bulk sampling activities, the WDNR seeks to apply the more stringent Construction Site General Permit coverage and its required performance standards. Those performance standards require the permittee to achieve total suspended solids reductions that are not required of entities covered under the Industrial Storm Water Coverage General Permit. Accordingly, WDNR believes that coverage under the Wisconsin Construction Site General Permit is the most environmentally protective permitting authority available for bulk sampling activity.

If you disagree with our conclusion, we request a written response that indicates as much, and the legal basis for your position. As we discussed yesterday, Wisconsin law affords eligible applicants coverage under the Construction Site Storm Water General Permit within 14 days of a complete Notice of Intent. Accordingly, please provide any response by the end of business on Friday, August 9.

We also appreciate your stated willingness to provide us examples of other storm water NPDES permits that included effluent limits for bulk sampling activity.

Regards,

 *Jane R. Landretti*

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